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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/755,629	01/12/2004	Todd W. Dixon	IR 40023/ IN 34105	9392

28841 7590 08/15/2007  
ConocoPhillips Company - I.P. Legal  
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EXAMINER
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CASAREGOLA, LOUIS J

ART UNIT	PAPER NUMBER
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3746

MAIL DATE	DELIVERY MODE
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08/15/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	Application No. 10/755,629	Applicant(s) DIXON ET AL.	
	Examiner Louis J. Casaregola	Art Unit 3746	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.  
     4a) Of the above claim(s) 12-21 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 22-30 is/are allowed.
- 6) ☒ Claim(s) 1 is/are rejected.
- 7) ☒ Claim(s) 2-11 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
     a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### ***Election***

Applicants' election of the invention of Group I (method) along with the species of Figure 3 is acknowledged. Applicants' arguments directed to the species election requirement are also noted but are considered moot since applicants have listed all of the Group I claims as readable on the elected species. An action on the merits of method claims 1-11 and 22-30 is presented below, and non-elected apparatus claims 12-21 are withdrawn from further consideration.

### ***Claim Rejections - 35 USC 102***

Claim 1 is rejected under 35 USC 102(b) as being anticipated by Smith et al '853.

All features of the broadly claimed coke processing method are present in the operation of prior art coke plants of the type disclosed by Smith. Attention is called to Smith's drawing figure; note that combustion chamber 10 receives a stream of offgas through line 22 and a stream of uncalcined coke through line 8. A portion of the offgas and the coke are burned in the combustion chamber as described, for example, in column 3, lines 7-9. Note also that while the offgas in the present claims is referred to as "refinery offgas", it is disclosed as the offgas from applicants' calciner unit 30. Smith's

offgas is also generated by a calciner, i.e. unit 20, and hence, Smith's offgas corresponds to the "refinery offgas" in the present claims.

***Allowable Subject Matter***

Claims 22-30 are allowed. Claims 2-11 contain allowable subject matter but are objected to as depending from a rejected parent claim. If rewritten in independent form, claims 2-22 will also be allowed,

***Additional References***

Noguchi is cited as disclosing an example of rotary kiln calciner unit similar to that used in the present invention.



L. J. Casaregola  
571-272-4826 (M-F; 7:30-4:00)  
571-273-8300 FAX  
August 13, 2007

Art Unit: 3746

If repeated attempts to reach the examiner by telephone are unsuccessful, the art unit supervisor, Anthony Stashick, can be reached at 571-272-4561.

Information regarding the status of this application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR, and status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).